REMARKS

The following remarks are fully and completely responsive to the Office Action dated April 1, 2004. Claims 1-8 are pending in this application with claims 1-4 and 7 allowed. In the outstanding Office Action, claim 6 was objected to for a minor informality and claims 5, 6 and 8 were rejected under 35 U.S.C. § 102(e). No new matter has been added. Claims 5, 6 and 8 are presented for reconsideration.

Claim Objection

Claim 6 was objected to because the word "bit" in line 8 should be "bits". Applicant has amended claim 6 to change "bit" to "bits". Accordingly, Applicant respectfully requests withdrawal of the objection to claim 6.

35 U.S.C. § 102(e)

Claims 5, 6 and 8 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kawamura (U.S. Patent No. 6,670,669 B1). In making this rejection, the Office Action asserts that this reference teaches each and every element of the claimed invention. Applicant requests reconsideration of this rejection.

Claim 5 recites in part:

> a potential switching circuit which supplies a first drain potential to said memory cell transistor at a time of a read operation, and supplies a second drain potential higher than the first drain potential at a time of a write-verify operation.

Claim 8 recites in part:

> a step of reading data from a memory cell transistor at a time of a write-verify operation by applying a second drain potential higher than a first drain potential that is applied to the memory cell transistor at a time of a read operation.

In contrast, the memory cell transistor of Kawamura is an n-type transistor having n-type source/drain regions SD1 and SD2 formed on the p-type substrate. As a result, the region SD1 serves as a drain in the read operation described in column 7, and the region SD2 serves as a drain in the write-verify operation described in column 13.

Kawamura teaches applying a drain potential of 1.6 V at a time of a read operation and applying a drain potential of 1.6 V at a time of a write-verify operation. Consequently, this reference uses the same drain potential at the time of a read operation and at the time of a write-verify operation.

Therefore, Kawamura fails to teach and/or suggest the claimed invention. Regarding claims 5 and 6, this reference fails to teach and/or suggest "a potential switching circuit which supplies a first drain potential to said memory cell transistor at a time of a read operation, and supplies a second drain potential higher than the first drain potential at a time of a write-verify operation." Regarding claim 8, this reference fails to teach and/or suggest "a step of reading data from a memory cell transistor at a time of a write-verify operation by applying a second drain potential higher than a first drain potential that is applied to the memory cell transistor at a time of a read operation." Therefore, Applicant requests reconsideration and withdrawal of the rejection of claims 5, 6, and 8 under 35 U.S.C. §102(e).

Conclusion

Applicants' remarks have overcome the objections and rejection set forth in the Office Action dated April 21, 2004. Applicants amendment of claim 6 overcomes the objection to claim 6. Applicants' remarks have distinguished claims 5, 6 and 8 from Kawamura and thus overcome the rejection of these claims under 35 U.S.C. §102(b). Accordingly, claims 5, 6 and 8 are in condition for allowance. Therefore, Applicants respectfully request consideration and allowance of claims 5, 6 and 8. Claims 1-4 and 7 are allowed.

Applicant submits that the application is now in condition for allowance. If the Examiner believes the application is not in condition for allowance, Applicant respectfully requests that the Examiner contact the undersigned attorney by telephone if it is believed that such contact will expedite the prosecution of the application.

In the event that this paper is not considered to be timely filed, Applicant hereby petitions for an appropriate extension of time. The Commissioner is authorized to charge payment for any additional fees which may be required with respect to this paper to our Deposit Account No. 01-2300, making reference to attorney docket number 100353-00179.

Respectfully submitted,
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Enclosures: Petition for Extension of Time